

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**COMPANY APPLICATION NO.548 OF 2017  
IN  
COMPANY PETITION NO.156 OF 2014**

ICICI Bank Limited )....Applicant

**IN THE MATTER BETWEEN :**

Kotak Mahindra Bank Limited )....Petitioner  
V/s.

The Official Liquidator of Seeyan )  
Engineering Company Pvt. Ltd. )....Respondent  
And

The Official Liquidator, High Court, Bombay)....Addl.Respondent

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Ms.Gargi Bhagwat i/by Divekar Bhagwat and Co. for the applicant.  
[Mr.Pola Raghunath, Dy. Official Liquidator present].

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**CORAM : K.R.SHRIRAM,J**

**DATE : 4.6.2018**

**P.C.:-**

1 Deputy Official Liquidator has no objection to the grant of prayer clause-(a) of the Application. At the same time, Deputy Official Liquidator states that the applicant should give an undertaking to this court that they will provide all documents to support their contentions that the office premises 57/58-B, Agarwal Trade Center, Plot No.62, Sector-11, CBD Belapur, Navi Mumbai-400 614 (the said premises) is effectively mortgaged to the applicant. Deputy Official Liquidator states that upon production of documents,

the Official Liquidator will be in a position to hand over possession of the said premises.

2 Deputy Official Liquidator further states that the applicant should give an undertaking in the usual format including the undertaking to bring the entire sale proceeds and deposit the same with the Official Liquidator if so directed by the court.

3 Ms.Bhagwat states that if so directed by the court, naturally they will obey the orders of the court. Ms. Bhagwat states that the applicant will comply with all the provisions of Securitization and Reconstruction of Financial Assets & Enforcement of Security Interest Act 2002 (SARFAESI Act) and in particular section 13 thereof.

4 Accordingly, Application is allowed in terms of prayer clause-(a) which reads as under :-

*“(a) That this Hon'ble Court be pleased to direct the Official Liquidator, High Court, Bombay to hand over the possession of the immovable property being Office Premises situated at 57-58-B, Agarwal Trade Centre, Plot No.62, Sector -11, CBD Belapur, Navi Mumbai-400 614 (which is duly mortgaged in favour of the Applicant Bank) to the Applicants.”*

**(K.R.SHRIRAM,J)**